1 2 3 4 5	KEVIN V. RYAN (CASBN 118321) United States Attorney MARK L. KROTOSKI (CASBN 138549) Chief, Criminal Division GARY G. FRY (CASBN 85582) Assistant United States Attorney 150 Almaden Boulevard, Suite 900 San Jose, California 95113		
7 8	Telephone: (408) 535-5061 Fax: (408) 535-5066 Attorneys for Plaintiff		
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10	UNITED STATES DISTRICT COURT		
	NORTHERN DISTRICT OF CALIFORNIA		
11	SAN JOSE DIVISION		
12	*E-FILED - 11/9/06*		
13	UNITED STATES OF AMERICA, No. CR 06-00361 RMW		
14	Plaintiff, UNITED STATES'		
15) FINDINGS OF EXCLUDABILITY OF v.) TIME UNDER THE SPEEDY TRIAL		
16	CATHY LYNN LONGLEY, ACT [18 U.S.C. §§ 3161 et seq.]		
17) Date: N/A		
18	Defendant.) Time: N/A)		
19	COMES NOW THE UNITED STATES OF AMERICA, represented by Assistant United		
20	States Attorney Gary G. Fry, and, pursuant to an oral order of the court issued on May 23, 2006,		
21	files proposed written findings excluding time from the requirements of the Speedy Trial Act, 18		
22	U.S.C. §§ 3161 et seq. Said findings conform to those first made orally from the bench on May		
23	23, 2006.		
24			
25	Date: October 23, 2006 KEVIN V. RYAN United States Attorney		
26	/S/		
27	GARY G. FRY		
28	Assistant United States Attorney		

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9	UNITED STATES DISTRICT COURT		
10	NORTHERN DISTRICT OF CALIFORNIA		
11	SAN JOSE DIVISION		
12			
13	UNITED STATES OF AMERICA,) No.CR 06-00361 RMW		
14	Plaintiff, ORDER OF THE COURT EXCLUDING TIME FROM THE SPEEDY TRIAL		
15	v.) ACT [18 U.S.C. §§ 3161 et seq.]		
16	CATHY LYNN LONGLEY,) Date: N/A Time: N/A		
17	Defendant.		
18			
19	On motion of the United States, made orally on October 23, 2006, and without objection		
20	from the defendant, the court FINDS as follows.		
21	In this case, defense counsel has indicated that she wants more time to research and		
22	possibly obtain evidence uselful in seeking mitigation at sentencing.		
23	Therefore, pursuant to 18 U.S.C. § 3161(h)(8)(B)(iv), the court excludes 49 days (i.e.,		
24	from October 23, 2006, to December 11, 2006) to allow counsel for the defendant reasonable		
25	time for effective preparation (taking into account the exercise of due diligence). The court		
26	FINDS that the ends of justice served by this delay outweigh the best interests of the public and		
27	the defendant (who has not objected) in a speedy trial. <u>See</u> 18 U.S.C. § 3161(h)(8)(A).		
28			
	Order of the Court Excluding Time [CR 06-00361 RMW]		

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1	Therefore, based on the foregoing, the court ORDERS that a period of 49 days, <i>i.e.</i> , from		
2	October 23, 2006, to December 11, 2006, is hereby excluded from the period of time that trial in		
3	this matter would otherwise have to commence under the Speedy Trial Act, 18 U.S.C. §§ 3161 et		
4	seq.		
5	IT IS SO ORDERED.		
6			
7	Date:11/9/06	/s/ Ronald M. Whyte	
8		HON. RONALD M. WHYTE United States District Judge Northern District of California	
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Order of the Court Excluding Time [CR 06-00361 RMW]